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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,995	06/20/2001	Wataru Yamamoto	08215.125	2414

7590 02/27/2003

Liniak, Berenato, Longacre & White  
Suite 240  
6550 Rock Spring Drive  
Bethesda, MD 20817

EXAMINER

TUNG, TA HSUNG

ART UNIT	PAPER NUMBER
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1753

DATE MAILED: 02/27/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/883995

Applicant(s)

YAMAMOTO, W.

Examiner

T. TUNG

Group Art Unit

1753

Paper No. 5

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-3 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-3 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

## Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some\* ☐ None of the:
  - ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

Art Unit: 1102

Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 14, "get just" is not understood.

Claim 2, line 4, "the cathode cartridge" does not have antecedent basis.

Claim 2, lines 4, 8 and 12, the cathode cartridge is apparently not being positively claimed. If so, it is indefinite to recite the orientation of an element with respect to an unclaimed object (a cathode cartridge).

Claim 2, line 11, "the plated parts" does not have antecedent basis. Also, it is indefinite to correspond the shape of the second insulator's opened hole with respect to an unclaimed object (the plated parts).

Claim 3, "at liberty of putting on and taking off for...." does not read correctly. At best, it is non-idiomatic English.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 2, 3 are rejected under 35 U.S.C. 102(a) as being anticipated by admitted prior art.

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Applicant admits that the instant figures 10-12 represent prior art. In figure 10, conductor 33 can be considered to be “a tabular anode conductor”, insulator 34 can be considered to be “a tabular first insulator”, and insulator 35 can be considered to be “a tabular second insulator”.

The fact that conductor 33 is intended to be a cathode conductor instead of an anode conductor is irrelevant, since the polarity of an electrode is not a structural distinction.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Clark et al 3,347,768 and Moll et al 4,425,918 or Hans-Jurgen et al 4,400,258.

Figure 10 discloses a holding assembly comprising a cathode workpiece 32 sandwiched by a washer 36 and a first tabular insulator 34 on one side and a cathode conductor 33 and a second tabular insulator 35 on the opposite side.

Applicant's claim differs by calling for a second washer to be mounted between the cathode conductor and the second insulator with the second washer also having an opening which is adapted to receive a protrusion projection on the cathode conductor to provide a locking arrangement.

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Clark discloses an electrode 28 being supported between flanges 30 and a pair of washers 31. See figure 2; col. 1, line 40 to col. 2, line 61.

Moll discloses the well-known locking arrangement of a protrusion 10 being snapped locked into a recess 7. See figure 1; col. 4, lines 37-47. Hans-Jurgen discloses a similar locking arrangement with protrusion 2a being snapped locked into recess 3a. See figure 1; col. 3, lines 37-55.

It would have been obvious to add a second washer on the side without a washer in the admitted old holding assembly of instant figure 10, because a second washer would provide a more complete seal of the workpiece holding assembly. The second washer would be a further barrier to fluid leakage.

It would also have been obvious to modify the locking arrangement among the various elements of the figure 10 holding assembly by adopting the snap-lock of Moll or Hans-Jurgen. The snap-lock provides a secure lock without requiring any additional mechanical part(s).

Ang 5,744,019 discloses a holding assembly for a cathode workpiece. See figure 4.

The examiner can be reached at 703-308-3329. His supervisor Nam Nuygen can be reached at 703-308-3322. Any general inquiry should be directed to the receptionist at 703-308-0661. A fax number for TC 1700 is 703-872-9310.

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A handwritten signature in black ink, appearing to read 'Ta Tung', with a stylized flourish at the end.

Ta Tung

Primary Examiner

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